

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**LAURANNA H.,**

Plaintiff,

v.

**COMMISSIONER, SOCIAL SECUIRTY  
ADMINISTRATION,**

Defendant.

Case No. 3:20-cv-01825-HL

**ORDER**

**IMMERGUT, District Judge.**

On January 20, 2022, Magistrate Judge Andrew Hallman issued his Findings and Recommendation (“F&R”). ECF 14. The F&R recommends that this Court reverse the decision of the Administrative Law Judge (“ALJ”), and remand to the ALJ for further proceedings to determine whether Plaintiff’s past work was substantial gainful activity and constituted past relevant work. *Id.* at 12; *see also* AR 15–30. No party filed objections. For the following reasons, the Court ADOPTS Judge Hallman’s F&R in full.

**STANDARDS**

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

### **CONCLUSION**

No party having filed objections, this Court has reviewed the F&R and accepts Judge Hallman’s conclusions. The F&R, ECF 14, is adopted in full. This case is REVERSED and REMANDED for additional proceedings to determine whether Plaintiff’s past work constituted substantial gainful activity.

**IT IS SO ORDERED.**

DATED this 29th day of March, 2022.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge